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CONSTITUTION
of
NEW STUYAHOK VILLAGE

PREAMBLE

We, the Alaska Natives of New Stuyahok, Alaska, citizens of the United States and descendants of the original inhabitants of this land, having common bonds of ancestry, culture, and community identity, in order to implement our inherent right of self-government as an Alaska Native people and to further our common political, social, and economic progress, do ordain and establish this constitution.

ARTICLE I. NAME

This community shall be called New Stuyahok Village.

ARTICLE II. MEMBERSHIP

Section 1. Base membership. All persons listed on the Base Roll of New Stuyahok Village shall be members of the village. The Base Roll is to be prepared under the direction of the village council. Any person whose name does not appear on the Base Roll and who meets the eligibility requirements of Article II, Section 2 of this constitution may apply for membership under procedures established by the village council.

Section 2. New members.

(a) Children. All children born to members residing in the village and all children biologically of Alaska Native descent who are adopted by members residing in the village shall be admitted to membership upon application.

(b) New residents. Any person of Alaska Native descent who lives in the village for at least three months and intends to remain in the village shall be admitted to membership upon application.

(c) Adopted members. Any person of Alaska Native descent not otherwise eligible for membership but with family or other significant ties to the village may be admitted to membership at the discretion of the village council.

Section 3. Dual membership prohibited. Notwithstanding any other provision of this Article, no person may be a member of New Stuyahok Village who is also an enrolled member of another federally recognized Alaska Native village or Indian tribe.

Section 4. Loss of Membership. Membership may be voluntarily relinquished by written notice from a member to the council. The council may revoke membership involuntarily for just cause upon due process of village law.

ARTICLE III. TERRITORIAL JURISDICTION

The territorial jurisdiction of New Stuyahok Village shall extend to all lands within the city limits of the state-chartered municipality of New Stuyahok, to all lands acquired by New Stuyahok Village, to all lands selected by Stuyahok Limited under the Alaska Native Claims Settlement Act, and to any other Indian Country of the village as may exist under federal law.

ARTICLE IV. VILLAGE COUNCIL

Section 1. Name. The governing body of New Stuyahok Village shall be the New Stuyahok Village Council, hereinafter referred to as the council.

Section 2. Composition. The council shall consist of ~~five~~ 7 members who must be eligible voters of the village and who shall be elected by a majority vote of the eligible voters at the annual membership meeting. The council shall select from its members a president, a vice president, and a secretary-treasurer. Council members shall take office immediately upon election.

Section 3. Term of office. Council members shall serve for three years with staggered terms, and shall remain in office until their successors are duly installed.

Section 4. Vacancies. Any office which is vacated shall be filled by appointment by the remaining council members at their next meeting. The replacement shall serve until the next annual membership meeting.

ARTICLE V. ELECTIONS

Section 1. Voter Qualifications. Any member of New Stuyahok Village who has reached the age of eighteen (18) and who has

resided in the village for at least one year shall be eligible to vote in all community elections and meetings.

Section 2. Elections. The regular election of officials and of questions requiring voter approval shall be held at the annual membership meeting. Special elections may be called at other times by the council, with or without a meeting of the membership, provided that no election shall be called during fishing season or at times when substantial numbers of village residents are outside the village.

Section 3. Notice. The council shall publicize all village elections by customary village methods at least ~~at least~~ fifteen days in advance.

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Section 4. Secret Balloting. All elections of officials shall be by secret ballot.

Section 5. Election Committee. Prior to any village election, the council may appoint responsible persons to supervise, administer and conduct the election. The council may by ordinance establish a permanent election committee and procedures for conducting village elections and maintaining voter rolls.

ARTICLE VI. REMOVAL FROM OFFICE

Section 1. Misconduct or neglect. Any council member or other official found guilty by the council of behavior involving gross misconduct in office or neglect of duty may be removed from office by a vote of at least three members of the council. Voting must be by secret ballot and the accused, if a council member, is entitled to vote. Before any vote for removal is taken, the accused must be given a reasonable opportunity to answer the charges against him.

Section 2. Recall. Eligible voters shall have the power to remove any member of the council by recall. The process shall be initiated by giving a petition asking for such removal to the council. The petition must be signed by at least 20% of the eligible voters and must set forth the reasons for the petition. The council must hold a community election to consider the recall within thirty days of receipt of the petition.

Section 3. Forfeiture. Any council member who moves from the village, is convicted of a felony by state or federal court, or ceases to be a member of the village shall automatically forfeit his office.

ARTICLE VII. POWERS

Section 1. Assertion of Power. New Stuyahok Village shall have all rights and powers of a sovereign, self-governing people except to the extent limited by federal law.

Section 2. Powers of Council. Except as otherwise provided by this constitution, powers of New Stuyahok Village may be exercised by the village council.

Section 3. Power to Tax Reserved. No taxes or assessments may be levied without a referendum of the eligible voters of the village.

ARTICLE VIII. RIGHTS OF MEMBERS

Section 1. Rights and Privileges. All members of the village shall enjoy without hindrance their rights as citizens of the United States.

Section 2. Indian Civil Rights Act. In exercising its power of self-government the village shall comply with the provisions of the Indian Civil Rights Act, 25 USC 1301, et. seq., and not infringe the individual liberties guaranteed therein.

Section 3. Right to Inspect Records. Members of the village shall have the right to review all records of the village government, including financial records, at any reasonable time in accordance with procedures established by the council.

ARTICLE IX. DUTIES OF OFFICERS

Section 1. President. The President shall preside at all meetings of the community and of the council and shall execute on behalf of the village all contracts, leases, or other formal documents approved by the council. He shall vote in matters before the council. He shall have the general supervision of all other officers, employees and committees of the village and see that their duties are properly performed. When the council is not in session, he shall be the official representative of the community.

Section 2. Vice President. The Vice President shall assist the President when called upon to do so. In the absence of

the President, he shall preside and when so presiding shall have all the rights, duties, privileges and responsibilities of the president.

Section 3. Secretary-treasurer. The secretary-treasurer shall keep the minutes of all meetings and shall attest to the enactment of all resolutions and ordinances. He shall maintain in permanent form all minutes, resolutions, ordinances and rules of the village, which shall be public information. He shall issue notices of all meetings and elections and conduct general correspondence as directed by the council. As treasurer he shall carry out the financial directives of the council, receive and safeguard all monies of the council and keep an accurate account of receipts and disbursements.

ARTICLE X. MEETINGS

Section 1. Council Meetings. Village council meetings shall be held monthly or as decided by the council.

Section 2. Quorum. A quorum of the council shall consist of ~~three~~ four members. No business shall be transacted unless a quorum is present.

Section 3. Conflict of Interest. No council member may vote on any matter pertaining specifically to him or to an immediate family member or on any matter in which he or an immediate family member has a significant financial interest.

Section 4. Open Meetings. All meetings of the council shall be open to the public; provided, that the council may recess at its discretion to discuss any matter in a closed session, if the reason for going into closed session is stated in the motion calling for such session and no final or official action is taken in the closed session.

Section 5. Decisions. Final decisions of the council on matters of permanent interest, such as the passage of village laws and regulations, shall be by ordinance. Final decisions of the council on matters of temporary interest may be by resolution.

Section 6. Village Meetings. Regular meetings of the general membership of New Stuyahok Village shall be held at least once annually, the date, time and place to be established by the council. Special meetings of the general

membership may be called by the president and shall be called by him upon either a majority vote of the council or upon receipt of a petition signed by at least 20% of the eligible voters.

Section 7. Notice. All meetings of the membership must be publicized by the council by customary village methods at least fifteen days in advance. No membership meeting may be called during fishing season or at other times when substantial numbers of village residents are outside the village.

Section 8. Quorum of membership. A quorum of the general membership at special meetings shall consist of 10% of the eligible voters, and no business shall be conducted unless a quorum is present. There shall be no minimum quorum for regularly scheduled annual meetings.

ARTICLE XI. TRIBAL COURTS

The judicial power of the Native Village of New Stuyahok Village is vested in the village council. The council may delegate its judicial power in particular cases and may by ordinance establish a permanent tribal court, or courts, of limited or general jurisdiction.

ARTICLE XII. SEVERABILITY

If any provision of this constitution should be declared invalid by a federal or tribal court of competent jurisdiction, the invalid provision shall be severed and the remaining provisions shall continue in effect.

ARTICLE XIII. SAVINGS CLAUSE

Section 1. Existing Law Remains in Effect. To the extent consistent with this constitution, all previous ordinances and resolutions adopted by the traditional council of New Stuyahok and all customary village law shall remain in effect following the adoption of this constitution.

Section 2. Revisions. In the event of future constitutional revisions, all previous ordinances, resolutions and customary village laws shall remain in effect to the extent that they are consistent with the new constitution or amendments.

ARTICLE XIV. AMENDMENTS

This constitution may be amended by a majority vote of the qualified voters in an election called for that purpose, provided that at least 20% of those eligible vote. The election may take place at the annual membership meeting.

ARTICLE XV. ADOPTION

Section 1. Effective Date. This constitution shall be effective immediately when adopted by a majority vote of the eligible voters, as defined in this constitution, at an election or meeting called for that purpose in which at least 20% of those eligible vote.

Section 2. Transition.

Traditional council members elected prior to the adoption of this constitution shall remain in office until the first election under this constitution.

DATE OF ADOPTION: _____

CERTIFICATION OF ADOPTION

WE, the undersigned members of New Stuyahok Village, having been selected by vote of the membership to oversee an election called for the purpose of adopting this constitution, certify that we were present at such election conducted on _____, 1989, that this constitution was duly adopted at such election by a vote of ____ for, ____ against, and that at least 20 percent of those entitled to vote cast their ballots.

Dated this _____ day of _____, 1989, at New Stuyahok, Alaska.

_____
Chairman, Election Board

_____
Member, Election Board

_____
Member, Election Board

Attest: _____
Village Council Secretary

ARTICLE XV. ADOPTION

Section 1. Effective Date. This constitution shall be effective immediately when adopted by a majority vote of the eligible voters, as defined in this constitution, at an election or meeting called for that purpose in which at least 20% of those eligible vote.

Section 2. Transition.

Traditional council members elected prior to the adoption of this constitution shall remain in office until the first election under this constitution.

DATE OF ADOPTION: March 12 1992

CERTIFICATION OF ADOPTION

WE, the undersigned members of New Stuyahok Traditional Council, certify that we constitute a quorum of the Traditional Council, that we were present at an election called for the purpose of adopting this constitution on March 12, 1992, 1991, that this constitution was duly adopted by the tribal membership by a vote of 38 for, 5 against, and that at least 20 percent of those entitled to vote cast their ballots.

DATED this 12th day of March, 1991, at New Stuyahok, Alaska.

Annie B Chocknor
Traditional Council President

Elia W Alcott
Council Member

Nick Nyagor
Council Member

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Council Member

Sally Gumlickpuk
Council Member

Natalia Warrilley
Council Member

Attest: Sally Gumlickpuk
Traditional Council Secretary